

**MINUTES OF THE VINEYARD TOWN
WORK SESSION AND COUNCIL MEETING
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah
March 23, 2016**

6:00 PM WORK SESSION

PRESENT:

Mayor Randy Farnworth
Councilmember Tyce Flake
Councilmember Julie Fullmer
Councilmember Dale Goodman
Councilmember Nate Riley

ABSENT:

Staff Present: Public Works Director/Engineer Don Overson, Town Planner Aric Jensen, Finance Director Jacob McHargue, Town Attorney David Church, Utah County Sheriff's Deputy Collin Gordon, Deputy Recorder Kinsli McDermott, Planning Commission Chair Wayne Holdaway, Water/Sewer Operator Sullivan Love

Others Present: Andrew Watson with UTCO Fire, Mr. Bybee – Orem City Fire, Ryan Peterson, Jamie Nelson

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL: Planning Commission Chair Wayne Holdaway

Chair Holdaway said the Planning Commissioner recently discussed two WatersEdge items that were now on the Council's agenda; WatersEdge 4A and 4B. He said one concern was about the trails. Chris Judd mentioned that when the trail crossed the road, they wanted to make sure that the crossing was noted as a trail crossing. It was mentioned that 4A and 4B were combined because the number of units would exceed the allowances if they were done separately.

COUNCILMEMBERS' REPORTS

Nate Riley – Councilmember Riley had no new items to report.

Julie Fullmer – Councilmember Fullmer had no new items to report.

Dale Goodman – Councilmember Goodman reported that he attended the TSSD (Timpanogos Special Service District) meeting last week. He said TSSD had begun a process to get asset management software so that they could create a formal maintenance plan. This would give them an idea of how to spend surplus money.

Councilmember Goodman mentioned the attendance at the caucuses and said there was a much higher percentage of attendees this year.

Tyce Flake – Councilmember Flake had no new items to report.

MAYOR’S REPORT – Mayor Farnworth had no new items to report.

AGENDA REVIEW

The Town Council and staff reviewed items on the Council agenda. They briefly discussed the applications for WatersEdge 4A and WatersEdge 4B applications.

They discussed the proposed fire and EMS agreements that had been submitted by Orem City and the Utah County. Mr. McHargue explained that additional discussion was needed with the County in order to make a decision. The Council and staff reviewed and discussed proposed agreements submitted by Orem City and the County. They discussed the proposed service provided by Orem City and the County.

Mr. Church explained the proposed amendments needed to Chapter 8 of the Municipal Code. He also mentioned that the noise ordinance was proposed to be incorporated into the nuisance ordinance.

Mayor Farnworth mentioned that an RDA meeting would follow the regular meeting.

ITEMS REQUESTED FOR FUTURE AGENDAS

Mr. Jensen reviewed items that needed to be addressed in upcoming meetings: updating the zoning map, a blended manufacturing zone, possibly eliminating a couple of zones and reviewing the table of uses. Councilmember Fullmer asked to add a discussion regarding zoning within the Sleepy Ridge subdivision.

The work session adjourned at 7:15 PM.

7:30 PM COUNCIL MEETING

PRESENT:

Mayor Randy Farnworth
Councilmember Tyce Flake
Councilmember Julie Fullmer
Councilmember Dale Goodman
Councilmember Nate Riley

ABSENT:

Staff Present: Public Works Director/Engineer Don Overson, Town Planner Aric Jensen, Finance Director Jacob McHargue, Town Attorney David Church, Utah County Sheriff’s Deputy Collin Gordon, Deputy Recorder Kinsli McDermott, Planning Commission Chair Wayne Holdaway, Water/Sewer Operator Sullivan Love

Others Present: Andrew Watson and Jamie Nelson with Utah County Fire, Brenn Bybee and Ryan Peterson with Orem City, Residents Matt Longsan, James Noble, Angela Kohl, Resident BJ Robinson, Kevin Mehner, and Emily Vance

Regular Session - The meeting was called to order at 7:30 PM. The invocation was offered by Councilmember Riley.

STAFF REPORTS:

Public Works Director /Engineer– Don Overson – Mr. Overson reported that the park restrooms would be open for the Easter Egg Hunt this weekend.

Attorney – David Church – Mr. Church had no new items to report.

Utah County Sheriff's Department – Deputy Collin Gordon – Deputy Gordon reported that the inmate workers were coming the first of the week. Councilmember Riley asked about the painting along 400 South. Mr. Overson explained that the paint was sold by a striping company and that it was supposed to be very high quality. He said he talked to the company about the paint peeling and they were willing to give Vineyard a good price for better paint. He said the plan was to use a pressure washer to strip the remaining paint and prepare the surface for repainting.

Planner – Aric Jensen – Mr. Jensen had no new items to report.

Finance Director – Jacob McHargue – Mr. McHargue reported that the town had extended an offer to a new building inspector. He stated that the Town Planner position would close this Friday and the interview process would start shortly after that. He said applicants would have a work session with the Council after the first round of interviews.

Councilmember Fullmer mentioned that the Easter egg hunt would be held this coming Saturday. She mentioned that there would be a community beach cleanup for the lake on April 23, 2016. Mr. McHargue mentioned that he would work with different cities to try to get their involvement. He said it could be used as a dedicated hunter project.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer was excused from the meeting.

CONSENT ITEMS:

- a) Approval of the January 25, 2016 Retreat Minutes
- b) Approval of the January 27, 2016 Minutes

Councilmember Fullmer asked that the January 25, 2016 Retreat Minutes be moved to the next meeting. Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER RILEY MOVED TO APPROVE THE JANUARY 27, 2016 MINUTES. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

OPEN SESSION:

Resident Matt Longsan from the Edgewater Town homes said he represented many town home residents who were concerned about parking issues. He said the problem originated from

having only two parking spaces per unit when the units were rented to students with at least three vehicles per unit. He wondered if there were ways to create additional parking. Mayor Farnworth thanked Mr. Longsan for his comments. Discussion followed regarding the responsibilities of the HOA (homeowners association) and the possibility of turning some of the open space into a parking lot. Mr. Church explained that the town had not received an application from the HOA for a change to the parking plan. He said an application would go through the normal planning and zoning process. Mr. Longsan said he understood it was an HOA issue, but since the HOA told him to contact the city, they would not take his calls. He asked about the red curbing. Mr. Church explained that the red striping on the curb was to maintain emergency vehicle access. He said there needed to be the equivalent of a public parking lot somewhere on the property. Councilmember Riley voiced concern that the parking issue was relevant to many projects. He asked Mr. Church if there was a way to get ahead of the problem. The Council discussed options. Mayor Farnworth said the HOA should file an application for additional parking. It was suggested that Mr. Longsan email the HOA to let them know that they would need to turn in an application. It was suggested that the HOA contact Mr. Church.

Resident James Noble wondered if new projects could be forced to install fiber. Mr. Church explained that four or five companies were trying to get conduit into Vineyard. Mr. Overson explained that older subdivisions built before 2010 would not have it. The Council discussed options for getting fiber to other areas.

Resident Angela Kohl said she had major concerns with the fire/EMS safety contract. She was concerned about the County fire department because they were trained in wildland fire but were not licensed for structural fires. Her concern was that the County would not have the ability, the equipment, or man power to protect Vineyard residents. She was concerned about not having a paramedic service. Mayor Farnworth discussed different angles of the problem and costs of service. Councilmember Fullmer said the Council would do their best to make sure Vineyard had the best service possible.

Resident BJ Robinson talked about his experience with Gold Cross paramedics. He thought they did not have the best paramedics. Mayor Farnworth said the decision would be made based on the information obtained.

Resident Emily Vance had concerns about the fire safety as well as concerns about parking. She thought roads in some of the subdivisions were too narrow and hoped it would not continue. Commissioner Kohl wondered why the Council couldn't ask for a wider road. Mayor Farnworth stated that road standards needed to be put on the agenda in order to discuss the issue at length. Ms. Vance asked that the Council not choose the cheapest option for fire/EMS services just because it was the cheapest. Mayor Farnworth said the quality of services would also be considered.

Resident James Vance talked about his experience with standby/part time paramedics. He talked about his concerns with Gold Cross response times and fees.

BUSINESS ITEMS:

5.1 DISCUSSION AND ACTION – WatersEdge Phase 4A

The Applicants from Flagship Homes are seeking approval for a Preliminary and Final subdivision application for WatersEdge Phase 4A. This phase is located on the west side of Main Street and north of 400 North. They Mayor and Town Council will take appropriate action.

Councilmember Riley wondered about the road width and some of the concerns in other subdivisions that had been discussed in the Open Session. Councilmember Goodman wondered if anything could be done about the road width. Mr. Church explained that the town would be obligated to approve the project if the application met the ordinance.

Pete Evans stated that this product meet exactly what was approved in the plan. He said the streets were the same asphalt width as in Sleepy Ridge, however on-street parking would not be permitted. He discussed available parking. He stated that he went through the Edgewater project and observed that there was a lack of HOA regulation and involvement as well as a lack of informing residents of what was permitted. Mr. Evans mentioned that they had done this type of project before, and had never had parking issues in their products.

Mr. Evans pointed out differences between Edgewater and Sleepy Ridge. He said one main difference was that they were not allowing parking on the streets. Mr. Church noted that the issues in Sleepy Ridge were not because of the road width, it was because of parking on the street. He said when it was taken to the residents, they said that they wanted to park on the street. Mr. Evans added that narrower streets resulted in slower driving. Discussion ensued regarding appropriate road widths for future developments.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE WATERSEDGE PHASE 4A PRELIMINARY AND FINAL PLAT SUBJECT TO THE FOLLOWING 4 CONDITIONS:

1. THE APPLICANT INSTALLS THE TRAIL, LANDSCAPING, FENCING, AND OTHER IMPROVEMENTS SHOWN ON THIS PLAN AND WITHIN THE ADOPTED WATERS EDGE SPECIAL ZONING DISTRICT.
2. THE APPLICANT PAYS ANY OUTSTANDING FEES AND MAKES ANY REDLINE CORRECTIONS.
3. THE LANDSCAPED DETENTION BASIN INCLUDE PLAYGROUND EQUIPMENT AS PREVIOUSLY PROMISED
4. THE PEDESTRIAN CROSSING FROM THE TRAIL TO THE SCHOOL SIDEWALKS BE DELINEATED BY A CHANGE OF MATERIALS AND COLORS, SUCH AS PAVERS OR STAMPED CONCRETE.

COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

5.2 DISCUSSION AND ACTION - WatersEdge Phase 4B

The Applicants from Flagship Homes are seeking approval for a Preliminary subdivision application for WatersEdge Phase 4B. This phase is located between 400 North and Loop Road, and west of Main Street. They Mayor and Town Council will take appropriate action.

Councilmember Goodman wondered what the maximum length was for the private driveways in the clusters. Mr. Evans explained that they were 150 feet or less.

Motion: COUNCILMEMBER FLAKE MOVED TO GRANT PRELIMINARY APPROVAL OF WATERSEDGE PHASE 4B WITH THE FOLLOWING CONDITIONS AND FINDINGS AS NOTED IN THE STAFF REPORT:

1. THE APPLICANT INSTALLS THE TRAIL, LANDSCAPING, FENCING, AND OTHER IMPROVEMENTS SHOWN ON THIS PLAN AND WITHIN THE ADOPTED WATERS EDGE SPECIAL ZONING DISTRICT.
2. THE APPLICANT PAYS ANY OUTSTANDING FEES AND MAKES ANY REDLINE CORRECTIONS.
3. THE LANDSCAPED DETENTION BASIN INCLUDE PLAYGROUND EQUIPMENT AS PREVIOUSLY PROMISED.
4. THE PEDESTRIAN CROSSING FROM THE TRAIL TO THE SCHOOL SIDEWALKS BE DELINEATED BY A CHANGE OF MATERIALS AND COLORS, SUCH AS PAVERS OR STAMPED CONCRETE.

COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

5.3 DISCUSSION AND ACTION – Fire and EMS Services Agreement

Finance Director Jacob McHargue will present the Fire and EMS Services Agreements received from the City of Orem and Utah County. They Mayor and Town Council will take appropriate action.

Motion: COUNCILMEMBER FULLMER MOVED THAT THE DISCUSSION REGARDING THE FIRE AND EMS SERVICES AGREEMENT BE CONTINUED. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

5.4 DISCUSSION AND ACTION – Amendment to the Municipal Code Chapter 8

The Mayor and Town Council will discuss amending Chapter 8 of the Vineyard Town Code regarding smoking and use of tobacco products including electronic cigarettes in city parks and public places and adding sections on reservation of parks and facilities. The Mayor and Town Council will possibly move to approve by Ordinance the amendment to the code.

Councilmember Riley voiced concern about parking if the field and pavilion were rented separately at the same time. He said parking during sports games was an issue. Mr. Church thought the pavilion and the field at the smaller park probably should not be rented at the same time, but said the pavilions at the larger park would be separate from the field. The Council discussed the possibility of additional parking in the smaller park once the neighboring school was finished.

Mr. Church pointed out that the proposed amendment was the prohibition on vaping, the electronic cigarettes, in the park as suggested by the Health Department.

Motion: COUNCILMEMBER RILEY MOVED TO AMEND MUNICIPAL CODE CHAPTER 8 TO INCLUDE NO SMOKING AND NO USE OF ELECTRONIC CIGARETTES IN PUBLIC PARKS AND PUBLIC SPACES. COUNCILMEMBER GOODMAN SECONDED THE MOTION. MAYOR FARNWORTH AND COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY WERE IN FAVOR. NONE WERE OPPOSED. THE MOTION CARRIED UNANIMOUSLY.

5.5 DISCUSSION AND ACTION – Amendment to the Municipal Code Chapter 10

The Mayor and Town Council will discuss amending Chapter 10 of the Vineyard Town Code clarifying the level of noise that may constitute a nuisance in the town. The Mayor and Town Council will possibly move to approve by Ordinance the amendment to the code.

Mr. Church explained that the proposed amendment moved the former noise ordinance to the nuisance section. He reviewed the levels and time of day restrictions and said no changes were made from the previous ordinance. Discussion ensued and the Council agreed that the decibel levels did not need to be changed.

Motion: COUNCILMEMBER FULLMER MOVED TO APPROVE THE AMENDMENT TO THE MUNICIPAL CODE CHAPTER 10 AS STATED IN BUSINESS ITEM 5.5. COUNCILMEMBER GOODMAN SECONDED THE MOTION. MAYOR FARNWORTH AND COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY WERE IN FAVOR. NONE WERE OPPOSED. THE MOTION CARRIED UNANIMOUSLY.

5.6 DISCUSSION AND ACTION – Amendment to the Town Fee Schedule

Finance Director Jacob McHargue will present an amendment to the Town Fee schedule to adjust the Solicitor License fees. The Mayor and Town Council will possibly move to approve by Resolution an amendment to Town Fee Schedule.

Mr. McHargue explained that the current fee for door to door sales was \$10 with 30 day maximum. He talked about the time spent for staff to do a background check on applicants and produce a badge for them and said that a \$25 fee would be easily justified.

Resident Kevin Mehner said he had door to door sales experience. He said most sales reps would be selling in Vineyard for one day because of its size and they probably would not worry about getting a permit. He encouraged staff to be able to issue the permit the day the application was turned in.

Resident James Noble wondered how authorities would know if sales reps did not pay the fee. Discussion ensued.

Resident Emily Vance talked about her experience with impolite and disrespectful sales reps. She asked about the purpose of the ordinance. The Council explained that reps with specific lanyards would indicate that they had an approved application from Vineyard.

The Council discussed the length of time for the permit. They considered future use of the permit. Mr. Church discussed the process and requirements for sales reps to obtain an approved permit.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO AMEND THE CURRENT FEE TO BE \$30 FOR A 90 DAY PERMIT. COUNCILMEMBER FULLMER SECONDED THE MOTION. MAYOR FARNWORTH AND COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY WERE IN FAVOR. NONE WERE OPPOSED. THE MOTION CARRIED UNANIMOUSLY.

5.7 DISCUSSION AND ACTION – Public Safety Building Bid Award

Public Works Director/Engineer Don Overson will presents the bids for the construction of the Public Safety Building. The Mayor and Town Council will take appropriate action.

Mr. Overson explained that five contractors were invited to bid, but only three bids were received: Warren and Associates, Wade Payne, and Bud Mahas, He mentioned that Bud Mahas was disqualified because of their bid. Mr. Overson said that Wade Payne was the lowest bidder at \$1.2 Million for the base fees with 3 alternatives - 1. raising the height of the basement structure, adding the elevator equipment to the basement, and the fire treatment system. He explained that they committed to have the building completed in 210 days. Mr. Overson said staff recommendation was to accept the Wade Payne Construction bid for \$1.37 million.

The Council discussed the three suggested alternatives. Mr. Church explained that the areas without elevators could not be considered public places.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER RILEY MOVED THAT THE TOWN COUNCIL APPROVE TO AWARD THE BID TO WADE PAYNE CONSTRUCTION FOR \$1.37 MILLION, TO INCLUDE THE FOLLOWING B, C, AND D OPTIONS AS DEFINED IN THEIR BID:

B.FLOOR TO FLOOR BUILDING HEIGHT ADJUSTMENT

C. ELEVATOR EQUIPMENT

D. FIRE SPRINKLER SYSTEM

COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FARNWORTH AND COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY WERE IN FAVOR. NONE WERE OPPOSED. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

Motion: COUNCILMEMBER FULLMER MOVED TO ADJOURN THE MEETING AT 9:05 PM. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

The next regularly scheduled meeting is April 13, 2016

MINUTES APPROVED ON: May 11, 2016

CERTIFIED CORRECT BY: /s/ Kinsli McDermott
K. MCDERMOTT, DEPUTY RECORDER